

1. The City of San Antonio as part of its electric and gas system (City Public Service Board) is hereby designated the easements and rights-of-way for electric and gas distribution and service facilities in the area "Overhang Easement," "Utility Easement," and "Transformer Easement," "Anchor Easement," "Service Easement," constructing, reconstructing, maintaining, repairing, relocating, removing, and erecting poles, towers, poles, burling wires, cables, conduits, pipelines or transformers, each with its necessary appurtenances together with the right of ingress and egress over grantor's adjacent land, the right to relocate said facilities within or across the easement, the right to remove from said lands all trees or parts thereof, and the right to remove any other obstructions which hinder or may interfere with the efficiency of said lines or appurtenances thereto. It is agreed and understood that no buildings, concrete slabs, or walls will be placed within said easement area.
2. Any CPS monetary loss resulting from modifications required of CPS equipment, located within said easement, due to grade changes or ground elevation alterations shall be charged to the person or persons deemed responsible for said grade changes or ground elevation alteration.
3. This plat does not amend, alter, release or otherwise affect any utilities electric, gas, water, sewer, and stormwater, or any easements or any other easements for any utilities unless the changes to such easements are described below.
4. Concrete driveway approaches are allowed within the five (5) foot wide electric and gas easements when Lots are served only by rear lot underground electric and gas facilities.
5. Roof overhangs are allowed within five (5) foot wide electric and gas easements when only underground electric and gas facilities are proposed or existing within those five (5) foot wide easements.

1) THE DEVELOPER DEDICATES THE SANITARY SEWER MAINS UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE SAN ANTONIO WATER SYSTEM. THE SAN ANTONIO WATER SYSTEM WILL OWN AND MAINTAIN SAID SANITARY SEWER MAINS WHICH ARE LOCATED WITHIN THIS PARTICULAR SUBDIVISION PLAT.

2) THIS SUBDIVISION IS WITHIN THE EDWARDS RECHARGE ZONE. TO THE EXTENT APPLICABLE, DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34, ARTICLE VI, DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION," OR LATEST REVISIONS THEREOF.

3) NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS AQUIFER PROTECTION PLAN ("WATER POLLUTION ABATEMENT PLAN" OR "WPAP") OR MODIFICATION TO AN APPROVED PLAN AS REQUIRED BY 30 TAC 213.5 OF THE TEXAS WATER CODE, OR LATEST REVISION THEREOF, HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TNRCC OFFICE, AND THE APPLICATION HAS BEEN APPROVED BY THE EXECUTIVE DIRECTOR OF THE REGIONAL TNRCC OFFICE.

THE NUMBER OF EQUIVALENT DWELLING UNITS (EDU'S)
PAID FOR THIS SUBDIVISION PLAT ARE KEPT
ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER
THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT.

1. 1/2" IRON ROD WITH YELLOW PLASTIC CAP MARKED "PAPE-DAWSON" SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. THE BASIS OF MONUMENTATION FOR THIS PLAT ARE THOSE SHOWN FOUND
3. THE BEARINGS FOR THIS PLAT ARE BASED ON THE STATE PLANE COORDINATE PROJECTION FOR THE SOUTH CENTRAL ZONE OF TEXAS FROM THE NORTH AMERICAN DATUM OF 1983

4. DIMENSIONS SHOWN ARE SURFACE.
5. COMBINED SCALE FACTOR USED IS 0.999839125.
6. BEARINGS MUST BE ROTATED 0°0'0" CLOCKWISE TO MATCH N.A.D. 83.

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER-COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED Clay A. Denton, Jr., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 30th DAY OF March, A.D. 1989

D. 19 06 MAY AND SEAL OF OFFICE THIS 22 DAY OF MAY
[Signature]
 NOTARY PUBLIC
 BEXAR COUNTY, TEXAS

[illegible]

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	370.00'	254.44'	132.48'	249.45'	S03°08'28"E	39°24'01"
C2	20.00'	36.02'	25.23'	31.35'	S74°26'17"E	103°11'37"

NO.	BEARING	DISTANCE
T1	N07°04'12"E	25.97'
T2	S67°12'21"E	25.97'
T3	S07°04'12"W	25.97'

BEING A 0.8932 ACRE TRACT OF LAND OUT OF A 142.719 ACRE TRACT
RECORDED IN VOLUME 3272, PAGE 231 OF THE OFFICIAL PUBLIC
RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, OUT OF THE
W.M. BRISBIN SURVEY NO. 396 1/2, ABSTRACT 55, COUNTY BLOCK
4923 NOW IN NEW CITY BLOCK (N.C.B.) 17600 IN THE CITY OF SAN
ANTONIO, BEXAR COUNTY, TEXAS.

THIS PLAT OF THE VILLAGE AT ENCINO PARK, UNIT-4 HAS BEEN
SUBMITTED TO THE CITY OF SAN ANTONIO, TEXAS, AND IS HEREBY APPROVED
BY THE DIRECTOR OF PLANNING IN ACCORDANCE WITH V.T.C.A., LOCAL GOVERNMENT
CODE SECTION 212.0065.

DATED THIS 26 DAY OF April AD 1999

BY: [Signature]
DIRECTOR OF PLANNING

4

STATE OF TEXAS
REGISTERED
JOHN NOEL NICHOLLS
4402
CONFESSIONS
LAND SURVEYOR

PAPE-DAWSON ENGINEERS

555 EAST RAMSEY | SAN ANTONIO TEXAS 78216 | PHONE: 210.375.9011
FAX: 210.375.9011

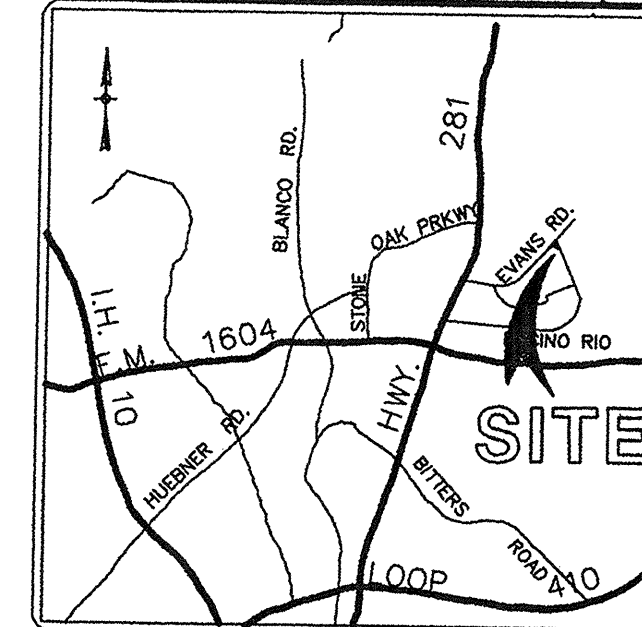
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 30th DAY OF March
A.D. 19 99 Norma Del Toro NOTARY PUBLIC
BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR
2 Geo. A. Pickens COUNTY CLERK OF SAID COUNTY,
DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE
15th DAY OF Feb A.D. 2007 AT 1:30 P.M. AND DULY RECORDED
THE 15th DAY OF Feb A.D. 2007 AT 3:30 P.M. IN THE RECORDS OF
Deed E. Maps OF SAID COUNTY,
IN BOOK VOLUME 9553 ON PAGE 91
IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS
15th DAY OF February A.D. 2007

VRP#03-09-114 COUNTY CLERK, BEKAR COUNTY, TEXAS
BY: [Signature] DEPUTY

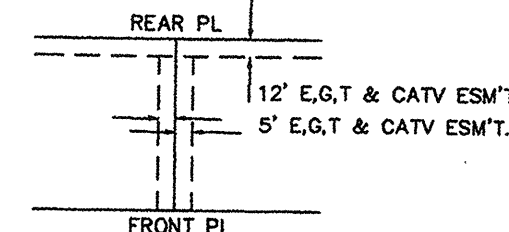
PLAT NO. 980630



LOCATION MAP



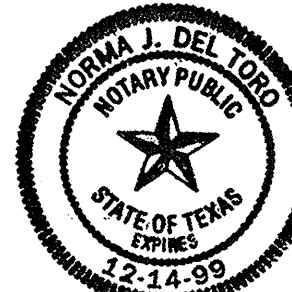
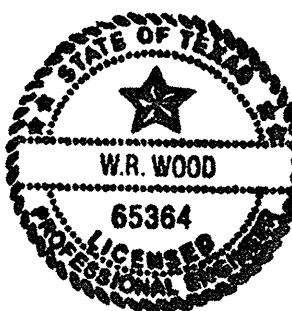
SCALE: 1"= 50'



TYPICAL EASEMENTS REQUIRED

E = ELECTRIC
G = GAS
T = TELEPHONE
CATV = CABLE TV
ESM'T. = EASEMENT
D&P = DEED & PLAT RECORDS
OF BEXAR COUNTY, TX
O.P.R. = OFFICIAL PUBLIC
RECORDS OF REAL
PROPERTY OF BEXAR
COUNTY, TX

B.S.L. = BUILDING SETBACK LINE
FND. = FOUND
I.R. = IRON ROD

[illegible]

Strip commercial

H: |3497|99|PL349799.DWG

JOB NO. 3497-90



Bexar Appraisal District

Find by:

Owner

Address

Account

Owner:
TONKIWA LTD
Address:
2770 EVANS RDE
Account:
17600-023-0010

Help

Parcel Data

[Comments](#)
[Disclaimer](#)

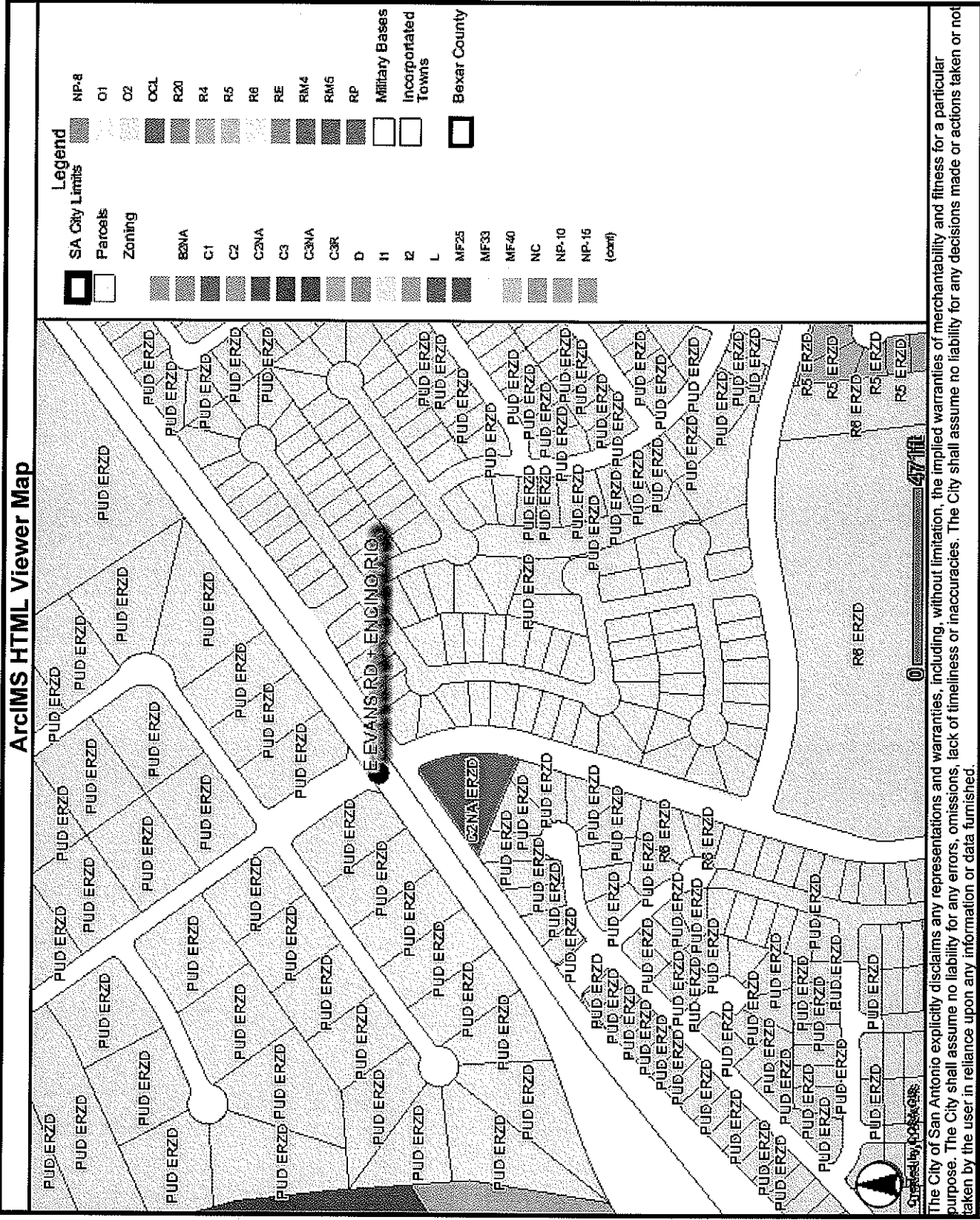


Refresh Layers

Visible

- ☒ Military bases
- ☒ Bexar County
- ☐ School Districts
- ☒ Parcels
- ☐ Flood Zones (1991)
- ☐ 100-yr
- ☒ Highways
- ☒ Streets
- ☒ Hydrology
- ☒ Hydrology Labels
- ☒ Historical Lot Lines

- ☐ In
- ☐ Out
- ☐ County
- ☐ Identify
- ☐ Left
- ☐ Right
- ☐ Center
- ☐ Up
- ☐ Down





City of San Antonio
New
Vested Rights Permit
APPLICATION

Permit File: # 03-09-114
Assigned by city staff

Date: 9/5/03

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete this application and attach 2 maps of the property and 2 sets of all supporting documents.

Note: All Applications must have a Site Map showing the Area Boundary (Attached).

Owner/Agent: Earl & Brown, P.C. on behalf of Denton Development Company Phone: (210) 222-1500 Fax: (210) 222-9100

Address: 111 Soledad, Suite 1111, San Antonio, TX Zip code: 78205

Engineer/Surveyor: Pape Dawson Engineers, Inc. Phone: (210) 375-9000 Fax: (210) 375-9010

Address: 555 E. Ramsey, San Antonio, TX Zip code: 78216

1. Name of Project: The Village of Encino Park Unit 4
2. Site location or address of Project: 2770 Evans Rd. East

3. Council District 9 ETJ Over Edward's Aquifer Recharge? ☒ yes () no

4. What is the specific purpose of this Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

Commercial retail consistent with the property's C-2 NA zoning designation

5. What is the date the applicant claims rights vested for this Project? September 17, 1998

6. What, if any, construction or related actions have taken place on the property since that date?
None

7. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

• **PERMIT**

Type of Permit: _____ Date of Application: _____

Permit Number: _____ Date issued: _____

Expiration Date: _____ Acreage: _____

• **MASTER DEVELOPMENT PLAN (MDP)** (Formerly POADP)*

accepted *prior to September 1, 1997* are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted *after September 1, 1997* are subject to 18 months for the POADP acceptance date.

Name: _____ # _____

Date accepted: _____ Expiration Date: _____ MDP Size: _____ acres

• **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

• **Plat Application**

Plat Name: The Village of Encino Park Unit 4 Plat # 980630 Acreage: 0.893

Date submitted: 9/17/98 Expiration Date: N/A

(Note: Plat must be approved within 18 months of application submittal date).

• **Approved Plat**

Plat Name: See Above Plat # See Above Acreage: See Above Approval

Date: 4/26/99 Plat recording Date: 2/15/02 Expiration Date: N/A Vol./Pg. 9553/91

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• **Other**

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to \$10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

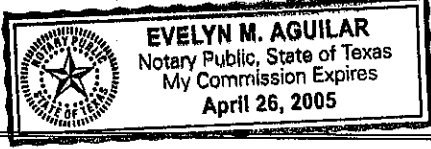
Print name: Habib H. Erkan, Jr.

Signature: 

Date: 9/5/03

Permit File # VRP 03-09-114

Sworn to and subscribed before me by Habib H. Erkan, Jr. on this 5th day of
September 2003 in the year 2003, to certify which witness my hand and seal of office.



[Signature]
Notary Public, State of Texas

City of San Antonio use

Permit File: # _____
Assigned by city staff

Date: _____

☒ Approved

☐ Disapproved

Review By: [Signature]
Assistant City Attorney

Date: 9/16/03

Comments: For project shown on
Plt. # 980630
As of Sept 21, 1998
Actual filing date of application
as advised by city attorney.



Planning Department
Subdivision Section

PLAT APPLICATION

Date Submitted: 9/17/98 **Plat ID Number:** 980630

Plat Name: The Village at Encino Park Unit 4

Owner/Agent: Denton Development Company **Phone:** 210/828-6131 **Fax:** 210/828-6137

Address: 11 Lynn Batts Lane, Suite 100, San Antonio, Texas **Zip code:** 78218-3024

Engineer/Surveyor: Pape-Dawson Engineers, Inc. **Phone:** 210/375-9000 **Fax:** 210/375-9010

Address: 555 East Ramsey, San Antonio, Texas **Zip code:** 78216

VARIOUS

- ☐ MAJOR PLAT ☐ AMENDING PLAT ☒ MINOR PLAT (Director plat - no variances or public hearing)
- ☒ DIRECTOR -OR- ☐ PLANNING COMMISSION
- Plat is associated with the development of a:
 - ☒ POADP: Y/N Name The Village at Encino Park #20 Date Approved: 10/3/83
 - ☐ PUD: Y/N Name N/A # Date Approved:
- All Specific Uses Proposed: Commercial (restaurant, day care, warehouse, etc.)
- City Council District 9 Ferguson Map Grid Map 483, E-6
- Water Service: ☒ Saws ☐ Well ☐ Other Utility (name)
- Sewer Service: ☒ Saws ☐ Septic ☐ Other Utility (name)
- Linear feet of new streets: Public: 0 Private: 0

AT IS OVER, WITHIN OR INCLUDES THE FOLLOWING (circle specific)

- ☒ Yes ☐ No - San Antonio City Limits ☒ Yes ☐ No - Edwards Aquifer Rechar
- ☐ Yes ☒ No - Previous/existing land fill? ☐ Yes ☒ No Parkland, greenbelts, or o

ATTN:
DAVID
MARTINEZ

LAND AREA BEING PLATTED

	<u>Lots</u>	<u>Acres</u>	<u>Other NSF uses:</u>	<u>Acres</u>
Single-Family (SF)	0	0	Public Street *	0
Non-Single Family (NSF)	1	0.893	Private Street, Common Area, Open Space & Easements **	0
Total Acre Sum:				0.893

FEES (*Public street dedications are not subject to fee assessment. * (Recording fees are collected for ICL plats only.)

Major Base \$	0.00	Minor Base \$	555.00	Amending \$	0.00	Leg. Doc. * \$	0.00
# lots x \$ 57 ea = \$	0.00	# lots x \$57 ea = \$	57.00	Def, V.D. \$	0.00	Per. Agr. * \$	11.00
# acres x \$410 = \$	0.00	\$100/ac over 20 \$	0.00	Replat PH \$	0.00	Plat *	\$ 31.00
Other NSF ** (i.e. private st./open space) @ \$410/ac. : \$						0.00	Total Fee Sum: \$ 654.00

I hereby certify that the above information is true and correct.

Print Name: Jon Adame Signature: *Jon Adame*

Date: 09/15/98 ☒ Professional Engineer ☐ Registered Professional Land Surveyor

I hereby grant permission to the Director of Planning to record this plat.

Print Name: Lloyd A. Denton Signature: *Lloyd A. Denton*

Date: 09/17/98 ☒ Owner ☐ Agent (Checking this requires a notarized Letter of Agent.)

(Only complete, legible applications will be accepted, 1 original copy, and 5 copies must be submitted.) Jan 98

September 5, 2003

Mr. Michael Herrera
Planner II
Development Services Department
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, TX 78204

Via Hand-Delivery

Mr. Tom Shute
Assistant City Attorney
City of San Antonio
100 Military Plaza, 3rd Floor
San Antonio, TX 78205

Via Hand-Delivery

Re: Vested Rights for The Village of Encino Park Unit 4 (Plat ID No. 980630)

Dear Messrs.:

On behalf our client, please accept this application for recognition of vested rights for the development of 0.80630 acres of land (hereinafter "Project") for commercial retail use consistent with the project's C-2 NA zoning designation. The Project is located at 23535 IH10 West, San Antonio, Texas.

This request is made pursuant to the provisions of the City of San Antonio's Unified Development Code Chapter 35, Article VII, Division 2, entitled "Vested Rights." Pursuant to Section 35-111(b)(2) thereof and applicable provisions of Texas Local Government Code Chapter 245. I am submitting to you a copy of a plat application dated September 17, 1998, as the first permit application submitted for the development of this project. This plat application was accepted by the City of San Antonio on that date and was given Plat ID. No. 980630. Moreover, this plat application was approved as a minor plat on April 26, 1999. The project in this instance is the development of the aforementioned lot for commercial use. Accordingly, I am requesting that the City of San Antonio acknowledge that this project, and the property subject thereto, is vested with development rights as of September 17, 1998.

Enclosed with this correspondence, please find a check for \$160.00 to cover the costs of processing this application and duplicates of the following documents:

2848

**EARL & BROWN P.C.
A PROFESSIONAL CORPORATION**

111 SOLEDAD, SUITE 1111 210-222-1500
SAN ANTONIO, TX 78205

VRP # 03-09-114

9/5/03

32-61
1110 53

DATE

PAY
TO THE
ORDER OF

City of San Antonio

\$ *160.00*

One Hundred Sixty & 00/100

DOLLARS

<i>Encino Park Unit 4 / Denton</i>			
<i>VRP Application</i>			

[Signature]

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑈002848⑈ +⑈111000614⑈

⑈566699680⑈

DELIVER TO



Bank One, N.A.
Dallas, Texas 75201
www.bankone.com